In the High Court of Judicature at Madras

Dated: 12.03.2007

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice N. PAUL VASANTHAKUMAR

W.P.Nos.8753 to 8761 of 2006
& WMP Nos.11905 to 11913 of 2002

R.Vasudevan .. Petitioner in WP.8753/2002

K.Alagirisamy .. Petitioner in WP.8754/2002

A.Srinivasan .. Petitioner in WP.8755/2002

P.Sigamani .. Petitioner in WP.8756/2002

V.Natarajan .. Petitioner in WP.8757/2002

D.Lalitha .. Petitioner in WP.8758/2002

R.Govindan .. Petitioner in WP.8759/2002

D.Purushothaman .. Petitioner in WP.8760/2002

M.A.Amanulla .. Petitioner in WP.8761/2002

Vs..

The Commissioner,
Corporation of Chennai,
Madras. .. Respondent in all Wps

Writ petition Nos.8753, 8755, 8756, 8758, 8759 and 8761 of2002 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent from evicting the petitioners bearing Bay Nos.2, 7, 8, 5, 10, and 1 respectively, Kodambakkam Bridge Western approach in pursuance of

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the demand notice dated 26.09.2001 and 09.02.2002 in SC.No.1/5357, issued by the respondent and directing the respondent to fix reasonable rent as per the representation given by the petitioner on 11.02.2002.

Writ petition Nos.8754/2002 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent from evicting the petitioners bearing Bay No. 13 Kodambakkam Bridge Western approach in pursuance of the demand notice dated 26.09.2001 and 09.02.2002 in SC.No.1/5347/2K issued by the respondent and directing the respondent to fix reasonable rent as per the representation given by the petitioner on 11.02.2002.

Writ petition Nos.8757/2002 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent from evicting the petitioner bearing Bay No.12 Kodambakkam Bridge Western approach in pursuance of the demand notice dated 26.09.2001 and 08.02.2002 in SC.No.1/5345/2K issued by the respondent and directing the respondent to fix reasonable rent as per the representation given by the petitioner on 11.02.2002.

Writ petition Nos.8760/2002 filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondent from evicting the petitioner bearing Bay No.3 Kodambakkam Bridge Western approach in pursuance of the demand notice dated 30.11.2001 and 12.02.2002 in SC.No.1/5356/2K issued by the respondent and directing the respondent to fix reasonable rent as per the representation given by the petitioners on 12.02.2002.

For Petitioners in all WPs : Mr.P.R.Raman
For respondent in all WPs : Mr.V.Bharathidasan

COMMON ORDER

(Order of the Court was delivered by P.SATHASIVAM,J.)

The petitioners have approached this Court to issue a Writ of Mandamus forbearing the respondent from evicting them pursuant to the demand notices dated 26.09.2001, 09.02.2002, 30.11.2001 and 12.02.2002 issued by the respondent and directing the respondent to fix reasonable rent as per the representations given by the petitioners on 11.02.2002 and 12.02.2002.

2. Heard the learned counsel appearing for the petitioners as well as the respondent.

3. It is the case of the petitioners that all of them were granted lease and allotted bay under Kodambakkam Bridge. On going through various details mentioned in the affidavit, the stand of

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the Corporation as seen from the counter affidavit of the Commissioner, Corporation of Chennai and taking note of the various aspects including the grievance of the petitioners as well as the present position, we are of the view that ends of justice would be met by permitting the petitioners to make fresh representations to the Commissioner, Corporation of Chennai, for appropriate relief. Accordingly, we permit all the petitioners to present the representations/petitions highlighting their position to the Commissioner, Corporation of Chennai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of their representations, the Commissioner, Corporation of Chennai, is directed to take a decision one way or other, in accordance with law, after affording opportunity to them, within a period of eight weeks thereafter. Till such final decision is taken by the Commissioner, the demand notices dated 26.09.2001, 09.02.2002, 30.11.2001 and 12.02.2002 shall be kept in abeyance. It is represented that the petitioners are paying the old rent and they are permitted to pay the same till final order being passed as directed above.

4. All the writ petitions are ordered accordingly. No costs. WMP Nos.11905 to 11913 of 2002 are closed.

Raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Commissioner,
Corporation of Chennai, Madras..

+9ccs to Mr. V. Bharathidasan,Advocate sr no. 15272 to 15280
+9ccs to Mr. P.R. Raman, Advocate sr no. 15454 to 15462

KV(CO)
NM(20.03.07)

W.P.Nos.8753 to 8761 of 2002

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